



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/725,970	12/02/2003	Dietmar Brandstatter	BRANDSTATTER	4916
20151	7590	05/24/2004	EXAMINER	
HENRY M FEIEREISEN, LLC 350 FIFTH AVENUE SUITE 4714 NEW YORK, NY 10118			HYEON, HAE M	
			ART UNIT	PAPER NUMBER
			2839	

DATE MAILED: 05/24/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/725,970

Applicant(s)

BRANDSTATTER ET AL.

Examiner

Hae M Hyeon

Art Unit

2839

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 December 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-13 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-13 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 02 December 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☒ Certified copies of the priority documents have been received in Application No. 60/431,189.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 12/2/03.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Specification

1. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1, 2, 5, 6, and 13 are rejected under 35 U.S.C. 102(b) as being anticipated by Brown et al (6,190,212 B1).

Brown discloses an electrical power plug comprising a contact prong 30 and 40 having chamfered and rounded contact prong end, a first stop 45 and a second stop 46; and a carrier plate 11 having an aperture 12 and 13 for receiving the contact prong 30 and 40. The first stop 45 is configured as an abutment, which exceeds a cross section of the aperture 12 of the carrier plate 11 (see column 5, lines 17-20 and 53-55).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person

Art Unit: 2839

having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 3, 4, 10 and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Brown et al in view of Su (5,282,753).

While Brown discloses the first stop 35, 45 and the second stop 36, 46 of the contact prongs 30 and 40, Brown does not teach the carrier plate having a hook-shaped locking member or a finger for engaging a depression on a contact prong. Also, Brown does not disclose a partition wall formed on the carrier plate to shield the contact prongs from one another.

Su discloses an electrical power plug comprising a carrier plate 1 having an aperture, a hook-shaped locking member 15, a finger 14, and a partition wall 12 and 13. The locking member 15 having a hook 151 engages a contact prong 5 having a stop 51 to hold the contact prong 5 on the carrier plate 1. The finger 14 extending from the carrier plate 1 engages a depression 31 formed on the contact prong 3.

It would have been obvious at the time the invention was made to a person having ordinary skill in the art to modify the carrier plate and the contact prong taught by Brown such that the carrier plate would have a hook-shaped locking member and a finger and the contact prong would have a depression as taught by Su because the hook-shaped locking member and the finger for engaging the depression are the form of a latch, which is one of the well known securing method.

6. Claims 7-9 and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Brown et al in view of Wang (6,454,612 B1).

Brown teaches molding an outer layer over the carrier plate 11 to form a plug. Therefore, Brown does not disclose a protective cap having a hook-shaped catch and a spacer element.

Art Unit: 2839

However, Wang discloses an electrical power plug having a carrier plate 3 having an opening 34 for receiving a hook-shaped catch 72 of a protective cover 7. The cover 7 also includes a spacer 74 that interacts with a contact prong 4 to secure the contact prong 4 on the carrier plate 3. Wang teaches that the plug assembly is made more easily and the strength is intensified in pulling the plug from a wall socket.

It would have been obvious at the time the invention was made to a person having ordinary skill in the art to the plug taught by Brown such that it would have a protective cover and a spacer as taught by Wang because plug assembly would be made more easily and, the strength would be intensified in pulling the plug from a wall socket.

Conclusion

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

US Patent No. 4,405,194 by van Lierop, US Patent No. 4,790,776 by Iijima, US Patent No. 5,662,484 by Blanche, and US Patent No. 6,168,443 B1 by Mullen, Jr. et al.

8. **It is unnecessary, however, that inventions of references be physically combinable to render obvious an applicant's invention.** *In re Sneed*, 710 F.2d 1544, 1550, 218 USPQ 385, 389 (Fed. Cir. 1983). The test for obviousness is not whether the features of a reference may be bodily incorporated into the structure of another reference but what the combined teachings of those references would have suggested to those of ordinary skill in the art. *In re Keller*, 642 F.2d 413, 425, 208 USPQ 871,881 (CCPA 1981).

Art Unit: 2839

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hae M Hyeon whose AU is 2839 and whose telephone number is 571-272-2093. The examiner can normally be reached on Mon.-Fri. (8:30-5:30).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lynn D Feild can be reached on 571-272-2092. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the telephone number 571-272-2800 ext 39.

Any response to this action may be mailed to:

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

For additional information regarding this new address, which was effective May 1, 2003, see *Correspondence with the United States Patent and Trademark Office*, 68 Fed. Reg. 14332 (March 25, 2003).

Hae M Hyeon

Examiner

Art Unit 2839

hnh

hnh

Hae Moon Hyeon